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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

* * * * *

TRUSTEES OF THE EMPLOYEE) CASE NO.: 2:17-cv-00993-RSL
PAINTERS' TRUST; TRUSTEES OF THE)
OREGON AND SOUTHWEST) STIPULATION AND ORDER TO
WASHINGTON PAINTERS PENSION) CHANGE VENUE TO UNITED
TRUST FUND; TRUSTEES OF THE WALL) STATES DISTRICT COURT,
AND CEILING INDUSTRY PROMOTION) DISTRICT OF OREGON; FILE A
FUND OF OREGON AND SOUTHWEST) SECOND AMENDED COMPLAINT;
WASHINGTON; TRUSTEES OF THE) AND ACCEPT SERVICE OF THE
OREGON AND SOUTHWEST) SECOND AMENDED COMPLAINT
WASHINGTON DRYWALL)
APPRENTICESHIP AND TRAINING TRUST)
FUND; and INTERNATIONAL UNION OF)
PAINTERS AND ALLIED TRADES)
DISTRICT COUNCIL NO. 5,)

Plaintiffs,

vs.

ACOUSTICAL TILE SYSTEMS, INC., an
Oregon corporation; DEVIN E. PRIAULX,
individually; JAMIE PRIAULX, individually;
DOES I-X, inclusive; ROE ENTITIES I-X,
inclusive,

Defendants.

Stipulation and Order

Page 1

THE URBAN LAW FIRM
AND
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The Plaintiffs, Trustees of the Employee Painters' Trust, Trustees of the Oregon and Southwest Washington Painters Pension Trust Fund, Trustees of the Wall and Ceiling Industry Promotion Fund of Oregon and Southwest Washington, Trustees of The Oregon and Southwest Washington Drywall Apprenticeship and Training Trust Fund, and International Union of Painters and Allied Trades District Council No. 5 (hereafter collectively "Plaintiffs"), acting by and through their Counsel, Christensen James & Martin and The Urban Law Firm, and the Defendants, Acoustical Tile Systems, Inc., Devin E. Priaulx and Jamie Priaulx (hereafter collectively "Defendants"), acting by and through their Counsel, Rick VanCleave, Esq., stipulate and agree as follows:

1. On June 30, 2017, the Plaintiffs filed their Summons and Complaint against the Defendants in the United States District Court, Western District of Washington at Seattle [ECF No. 1]. On July 21st and July 24th, 2017, Defendants were effectively served with the Summons and Complaint [ECF Nos. 5 and 6].
2. On July 28, 2017, the Plaintiffs filed their First Amended Complaint [ECF No. 7].
3. The Plaintiffs would now like to amend the First Amended Complaint to change the date of the audit period to reflect the correct date of such. As such, this is the proposed change made to the Amended Complaint:
 - a. Paragraph 15: "Acoustical submitted to a payroll and compliance audit for the time period of July 1, 2012 through June 30, 2013, to evaluate and determine the work performed and obligations due to the Trusts ("Audit")." **Proposed change:** "Acoustical submitted to a payroll and compliance audit for the time period of

Stipulation and Order

Page 2

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July 1, 2012 through June 30, 2014, to evaluate and determine the work performed and obligations due to the Trusts ("Audit")."

4. A copy of the Proposed Second Amended Complaint is attached hereto.
5. The Defendants' attorney has agreed to accept service of the proposed Second Amended Complaint.
6. In addition, Plaintiffs and Defendants have agreed that venue should be transferred to the United States District Court, District of Oregon, since that is where a majority of the witnesses reside.

Therefore, the Parties Stipulate and request an Order be entered as to the following:

1. The Plaintiffs are permitted to file a Second Amended Complaint with the change stated above and which is attached hereto;
 2. The Plaintiffs shall have ten days from the date the Order is signed to file the Second Amended Complaint;
 3. The Defendants' attorney shall accept service of the Second Amended Complaint;
- and

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Stipulation and Order

Page 3

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4. This case shall be transferred to the United States District Court, District of Oregon,
within fourteen (14) days of the date of this Court's Order.

Dated this 11th day of September, 2017.

VAN CLEAVE & COBRAIN, PC

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ORDER

IT IS SO ORDERED.

Dated this 21st day of September, 2017.

MTS Casnik
United States District Judge ~~for United States Magistrate Judge~~

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Stipulation and Order

Page 4

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23 Stipulation and Order

24 Page 5

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